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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,225	01/29/2001	Chang-nam Chu	Q62215	2207

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SUGHRUE, MION, ZINN
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/770,225	Applicant(s) CHU, CHANG-NAM	
	Examiner Pramila Parthasarathy	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/18/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on May 18, 2006. Claims 15 – 25 were previously presented and no new claims were added.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 15 – 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The amended independent Claims 15, 18, 21 and 22 read, “ ... a computer-dedicated player, which reproduces downloaded content,”.

With respect to “a computer dedicated player, which reproduces downloaded content”, although the specification discloses the system can prompt the user for personal information to be sent to the site server and then the site server generating an encryption key unique to the customer, and the generated encryption key is downloaded

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and stored in the customer computer, the specification does not disclose a method for a computer-dedicated player, which reproduces downloaded content. Applicant's remarks does not direct wherein the instant specification "Computer-dedicated player, which reproduces downloaded content" is disclosed.

The dependent claims 16, 17, 19 – 20 and 23 – 25 are rejected at least by virtue of their dependency on the dependent claims.

Examiner suggests amending the claims with attention given to specification paragraph [0028 and 0034], wherein the disclosure explicitly reads, "a computer-dedicated player 50a is downloaded (3)" and "The encrypted content downloaded to the customer computer 60 is **deciphered** using the encryption key downloaded in step170, and can be reproduced by the computer-dedicated player 50a". Examiner directs applicant's attention to the disclosure wherein the computer-dedicated player reproduces the **deciphered content** and does not reproduce downloaded (encrypted) content (**emphasis added**).

Response to Arguments

3. Applicant's arguments filed April 26, 2006 have been fully considered but they are not persuasive. Applicant's argument regarding claims 15, 18, 21 and 22, that Colosso (U.S. Patent Number 6,169,976) does not disclose "generated encryption key

and computer-dedicated player, which reproduces the downloaded content” is not persuasive because Colosso discloses that “generated encryption key and computer-dedicated player, which reproduces the downloaded content”, see Column 15 line 31 – Column 16 lines 56, wherein generated encryption key and the installation program (computer dedicated player) are downloaded to the user computer which are decrypted to reproduce (active the installed program) at a later time.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., plays the downloaded content) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's assertion that Colosso does not describe how “the computer-dedicated player for playing content” signature to the module is verified during is incorrect because Applicant is not claiming that the computer-dedicated player is playing the content but merely reciting “computer-dedicated player, which reproduces downloaded content, to the customer”.

Therefore, the examiner respectfully asserts that the cited prior art does teach or suggest the amended subject matter “generated encryption key and computer-dedicated player, which reproduces the downloaded content” broadly recited in the amended independent claims. The dependent claims 16 – 17, 19 – 20 and 23 – 25 are

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rejected at least by virtue of their dependency on the dependent claims and by other reason set forth in this office action. Accordingly, the rejection for the pending claims 15 – 23 is respectfully maintained.

4. Examiner suggests applicant to amend the claims in a manner to distinct applicant's invention with prior art with **attention** given to the specification paragraph [0028 – 0034].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 15 – 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Colosso (Patent No.: 6,169,976).

Regarding Claim 15, Colosso teaches the site server receiving personal information of the customer (Fig. 2A and Column 2 lines 34 – 51);
generating a unique encryption key corresponding to the received personal information of the customer (Fig. 2A, 2F; and Column 2 lines 34 – 51); and
transmitting the generated encryption key and a computer-dedicated player, which reproduces downloaded content, to the customer (Fig. 2F and Column 3 line 45 – Column 4 line 6).

Regarding Claim 18, Colosso teaches the customer transmitting personal information of the customer (Fig. 2A and Column 2 lines 34 – 51); and
receiving a computer-dedicated player, which reproduces downloaded content, and a unique specific encryption key corresponding to the personal information of the customer (Fig. 2F and Column 3 line 45 – Column 4 line 6).

Regarding Claim 21, Colosso teaches receiving personal information of a customer (Fig. 2A and Column 2 lines 34 – 51);
generating a unique encryption key corresponding to the personal information of the customer (Fig. 2A, 2F; Column 2 lines 34 – 51); and
transmitting said generated unique encryption key and a computer-dedicated player, which reproduces downloaded content, to the customer (Fig. 2B – D; Column 2 lines 34 – 51 and Column 8 line 18 – Column 9 line 6).

Regarding Claim 22, Colosso teaches and describes a content decryption method (Fig. 1, 2A-F, 3, 5; and Column 1 line 7 – Column 16 line 56) comprising:

transmitting personal information of a customer (Fig. 2A and Column 2 lines 34 – 51);

receiving a computer-dedicated player, which reproduces downloaded content, and a unique encryption key corresponding to the personal information of the customer (Fig. 2F and Column 3 line 45 – Column 4 line 6); and

decrypting encrypted contents using the encryption key (Fig. 2F and Column 15 lines 45 – 60).

Claim 16 is rejected as applied above in rejecting claim 15. Furthermore, Colosso teaches wherein the personal information of the customer is generated based on a resident registration number of the customer (Fig. 2D; Column 2 line 34 – Column 3 line 31 and Column 11 line 57 – Column 14 line 29).

Claim 17 is rejected as applied above in rejecting claim 15. Furthermore, Colosso teaches storing the personal information of the customer and the encryption key (Fig. 2F, 3; Column 3 lines 45 – 67 and Column 10 lines 16 - 19); and

generating a customer database using the stored personal information and encryption key (Column 3 lines 1 – 14; Column 11 lines 9 – 20 and lines 58 – 67).

Claim 19 is rejected as applied above in rejecting claim 18. Furthermore, Colosso teaches wherein the personal information of the customer is generated based on a resident registration number of the customer (Fig. 2D; Column 2 line 34 – Column 3 line 31 and Column 11 line 57 – Column 14 line 29).

Claim 20 is rejected as applied above in rejecting claim 18. Furthermore, Colosso teaches storing the personal information of the customer and the encryption key (Fig. 2F, 3; Column 3 lines 45 – 67 and Column 10 lines 16 –19).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. If applicants are aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

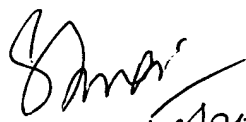
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

July 03, 2006.



07/08/2006